

**CLOSED – This Request for Proposal is for reference purposes only.**

# Justice Bulletin

**Montana Board of Crime Control**

*A Publication of the Montana Board of Crime Control 3075 North Montana Avenue, Helena, MT 59620-1408  
(406) 444-3604 FAX (406) 444-4722*

## **Request for Proposals (RFP)**

### **#05-03(H) National Criminal History Improvement Program**

**Proposal Deadline: February 1, 2005 at 5:00 p.m.**

**Project Dates: February 1, 2005 to September 30, 2005**

The Montana Board of Crime Control is soliciting proposals for funding from local and state criminal justice agencies to implement Montana's strategy for developing and maintaining local and state record management systems in conjunction with the Federal/State Criminal History Record Program. Projects will be awarded for a period not to exceed 8-months beginning February 1, 2005. Typical projects will range from \$5,000 to \$100,000 depending on the project. There is approximately \$245,000 available for criminal history record improvements. These funds **must** have a 10% match.

### **Project limitations**

Applications for funding of new and on-going NCHIP projects will be accepted at this time under this proposal. Short-term projects, those that can be completed prior to September 30, 2005, are encouraged.

### **Program Categories**

Congress has set aside monies specifically for criminal justice record improvements. This RFP is to address that issue. The areas from which applications will be accepted by the Montana Board of Crime Control (MBCC) are for analysis, design, implementation, and/or enhancement of state and local criminal justice record systems. This may involve contracted services, personal services, computer hardware, and software to meet this objective.

See the attached list (Attachment A) of acceptable projects. The applicant must address how the specific project will enhance or contribute to the integration of systems. All applications must specifically address how the application fits within one of the listed areas, and shall clearly describe how the project meets the goals and objectives related to the category chosen.

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### **Eligibility Requirements**

Agencies eligible to apply for these funds are limited to local, tribal, and state Criminal Justice Agencies.

### **Late Applications**

- 1) Applications that are received past the due date will be returned and not considered during the current cycle.

### **Match**

Match is required for all projects. Match shall constitute 10% of the total project costs. Match may be in-kind or soft match.

### **Deadlines**

Applications must be **postmarked no later than February 1, 2005**. Applications should be mailed certified to guarantee receipt.

### **Implementation Timeframe**

Programs will have up to one (8) months in which to implement the project and use the funds awarded.

### **Awards & Appeals**

A review committee of the Board of Crime Control will review proposals. A summary of their recommendations will be presented to the Board for final action. If there is substantive reason, applicants may appeal the recommendation of the review committee. Notice of appeal must be made in writing to the Executive Director of the Board of Crime Control at least 10 days prior to the Board meeting at which the grant applications are considered.

### **Limitations on Fund Use**

Review this list carefully. If you have any questions, call prior to submitting your proposal.

- 1) Purchase of equipment must be integral and necessary for the project.
- 2) Construction, in general, is prohibited.
- 3) Land acquisition is prohibited.
- 4) Supplanting is prohibited.

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- 5) Consultant costs are limited to \$450 per 8-hr day without additional approval or bidding.
- 6) State rates are to be used for calculating mileage, per diem and lodging. Call for instructions regarding out-of-state travel.
- 7) Indirect costs are not allowed.
- 8) Pre-agreement costs are not allowable.
- 9) Rental costs are limited to \$10 per square foot per year.
- 10) General salaries and personnel costs are allowable; overtime cannot exceed 10 percent of the personnel budget.
- 11) Funds may not be expended or obligated prior to official notification of award by the Board of Crime Control.
- 12) Purchase or lease of vehicles is not permitted. Mileage will be allowed at the current approved state rate.
- 13) Uniform allowances will not be permitted.
- 14) If your agency receives less than \$300,000 per year in total federal assistance, you will not be required to arrange for an audit and may not charge audit costs to your grant. *(Agencies receiving \$300,000/yr or more in total federal assistance will be required to have an audit performed in accordance with federal circular A-133. Costs for such an audit should be charged proportionately to all programs being audited.)*

**Note:** Food and beverage items may be allowable if costs meet these guidelines: 1) the food and beverage are incidental to a work-related event; 2) the costs are documented and reasonable; and 3) food and beverages are not directly related to amusement and/or social events. MBCC will approve such items only if the applicant justifies the expense as a clear benefit to the grant project. The federal Office of Justice Programs discourages approval of expenses for "working lunches;" therefore, we would recommend that you **not** include such items in a request. All food and beverage items must receive prior approval from MBCC.

### **Applicant Agreement**

#### **All successful applicants for grant award funds from MBCC must agree to the following.**

- Submit quarterly narrative, data and financial reports in the prescribed format according to the MBCC time frames.
- Submit an annual report when required.
- If the applicant is a law enforcement agency, participation in MUCR/NIBRS reporting is required. Contact staff if you are unsure of your status.

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## **APPLICATION PROCEDURES**

**Requesting an Application.** Call the main office of the MBCC at (406) 444-3604 and request an application kit. Indicate the RFP number and whether you are applying for a *new* or *continuation* project. You will be sent an application and guidelines. You must comply with all instructions. Also you can access us on the Internet at [www.bccdoj.doj.state.mt.us](http://www.bccdoj.doj.state.mt.us) to download application forms. And our email address is: [mbcc@state.mt.us](mailto:mbcc@state.mt.us).

**Who to Call for Assistance:** If you need assistance in the preparation of the application, or if you have financial questions, please contact the following staff.

<u>Program</u>	<u>Phone</u>	<u>Fiscal</u>	<u>Phone</u>
Don Crabbe	444-2077	Don Merritt	444-2076
Scott Furois	444-4298	Glenda Grover	444-2085
Kathy Ruppert	444-2084		

**Copy Requirement.** Please submit your application in one of the following 3 formats:

1. Mail one original copy of the complete application and e-mail the following: *Face Sheet, Executive Summary, Project Budget, Budget Narrative* to [mbcc@state.mt.us](mailto:mbcc@state.mt.us) postmarked no later than February 1, 2005.
2. Mail one original copy of the complete application and mail a copy of the *Face Sheet, Executive Summary, Project Budget and Budget Narrative* on formatted 3.5" floppy disk. Make sure to label the disk with your Agency Name, Title of project and format (i.e. word 6.0 or text). Postmarked no later than February 1, 2005.
3. Mail one original copy of the complete application and 5 additional copies, each consisting of: *Face Sheet, Executive Summary, Project Budget and Budget Narrative.* Postmarked no later than February 1, 2005.

**Faxing.** Faxed applications will not be accepted.

**Application Check List.** Please refer to this check list before mailing your application.

- ☐ Face Sheet
- ☐ Executive Summary
- ☐ Project Budget
- ☐ Budget Narrative
- ☐ Project Narrative
- ☐ Special Assurances and Conditions
- ☐ Signature Page

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**Mailing Address.** Send applications to:

Montana Board of Crime Control  
3075 North Montana  
P.O. Box 201408  
Helena, MT 59620-1408

**Deadline(s).** Applications for **RFP #05-03 (H)** must be **received at the Board's Helena office, or postmarked no later than February 1, 2005.** Use certified mail to guarantee receipt.

Interested applicants are strongly advised to adhere closely to all deadlines and requirements. The inability to abide by deadlines is a significant reason to recommend denial of the application.

**Receipt Verification.** All applicants will be informed in writing that their application has been received and will be assigned a grant number and contact person from MBCC.

*Alternative accessible formats of this document will be provided upon request. Persons with disabilities who require this material in another format in order to participate in the Request for Proposal process should contact MBCC, 3075 N. Montana, Helena, MT 59620. Phone (406) 444-3604 or FAX (406) 444-4722 email: [mbcc@state.mt.us](mailto:mbcc@state.mt.us)*

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## **ATTACHMENT A**

Allowable costs:

Allowable expenses are detailed below. All expenses are allowable only to the extent that they directly relate to programs described in the application's program narrative.

1. Participation in III. This is a key goal. Covered costs include, but are not limited to, costs associated with automation of the database, synchronization of records between the State and the FBI, and development of necessary software and hardware enabling electronic access on an intrastate or interstate basis.

2. Database enhancement. Improving the quality, completeness, and accuracy of criminal history and sex offender and protection order records is a key goal of the NCHIP effort, and automated interface between prosecutors, courts, and corrections and the record repository is encouraged.

Allowable costs include the costs associated with implementing improved criminal history record capture procedures (including complete arrest reporting and researching missing dispositions, provided that the captured data are subsequently included in the permanent automated database), establishing more effective accuracy controls, and ensuring that records of all criminal events that start with an arrest or indictment are included in the database. BJS anticipates that in many cases accomplishing this goal will entail direct transfer of funds from the designated NCHIP agency to the courts.

In addition to felony records, funds may be used to capture data on domestic violence misdemeanors and to ensure that data on persons convicted of abuse of children, the elderly, and the disabled and/or stalking and domestic violence offenses (including protection orders and violations thereof) are included in the database.

Funds may also be used to automate and/or upgrade accuracy and completeness of the State sex offender registry. Eligible costs include automating linkages between the registry and law enforcement agencies within the State, and developing and implementing procedures to transfer information to the FBI.

Funds may be used to develop and implement procedures, software and training and to ensure that changes in status and offender location are accurately captured and recorded. Funds may only be used for procedures that are compatible with the FBI Sex Offender Registry and related systems.

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States that currently participate in III may also use limited funds to identify and develop access to data on other categories of persons prohibited from firearm purchase under recent amendments to the Gun Control Act (18 U.S.C. Section 922), as incorporated in the Brady Act. States proposing use of funds for these purposes must demonstrate in the application that necessary protections for individual privacy will be incorporated in the proposed procedures.

Funds provided to courts or prosecutors are allowable where the function to be supported can be expected to improve the capture of dispositions or other data relating to the offender record. (See "Commitment to support court efforts relating to development of record systems" section, above.) This would include implementation of, or upgrades to, record systems which facilitate immediate identification of disposition records, provided the automated disposition records are accessible for State-or Federal-level criminal history inquiries.

NCHIP funds may be used to establish operational back-up systems for use in the event of failure of the primary criminal history record system.

3. Flagging of records. Upgrading the accessibility of records through flagging for presale and reemployment checks is an important activity. Allowable costs include costs of flagging or algorithms used for flagging of felony records and records of persons with convictions for crimes involving children, the elderly, and/or the disabled, as well as records of persons convicted of crimes involving domestic violence and/or stalking. Costs may include the cost of technical record flagging and the costs associated with identification of records to be flagged (see [15] below regarding interface with NIBRS).

In support of the Sex Offender Registry, funds may also be used for review of existing records to identify, flag, and transmit data on previously released offenders who qualify for inclusion in the Sex Offender Registry. This may include a review of juvenile records where consistent with State law or practice.

4. Participation in the NICS. NCHIP funds may be used to enable the State to participate in the NICS consistent with the provisions of 18 U.S.C Section 922 (t) and funds may be used to undertake activities to improve or ameliorate any problem that is delaying instant responses to NICS inquiries. Allowable expenditures include, but are not limited to, costs necessary to enable the State to serve as a Point of Contact (POC) under the FBI's NICS system (including costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures). Funds may not be used to cover ongoing costs of presale firearm background checks, but may be used to pay costs associated with capturing dispositions in response to a specific NICS inquiry, provided that the captured

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data is entered into the automated State and FBI system and serves to upgrade the permanent quality of the record systems.

5. Firearm permits. NCHIP funds may be used to comply with Brady Act provisions pursuant to an ATF-approved firearm permit system and to develop and implement procedures to review the currency of firearm permits and/or to provide appropriate notification when permits are revoked.

6. Prosecution of firearm sale denials. NCHIP funds may be used to study the extent to which persons denied a firearm pursuant to a presale background check are prosecuted at the state or local level. Allowable costs include both costs associated with design and implementation of a research/statistical study and costs associated with establishing and implementing a protocol for regular collection of data on this issue. Funds may also be used to develop software to enable States to transfer records of denied firearm purchasers to the FBI or to State or local offices for prosecution.

7. Participation in the NSOR. The NCHIP program is intended to support the NSOR by assisting States to develop and enhance State registries that feed into the national system to ensure compliance with requirements set forth in State and Federal legislation (the Wetterling Act, Megan's Law, and the Lychner Act). Allowable expenditures include costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures. Costs of regular operating expenditures are not covered under the program.

Sex offender registry files supported with NCHIP funds must be compatible with the FBI file, and the application must indicate that records are presently being submitted to the FBI or indicate the date upon which that submission will commence. Funds are only allowable to support development of local sex offender registries where data in such files is or will become directly accessible throughout the State and available to the FBI's national system.

Funds may be used to purchase equipment and develop software to permit the disclosure of registry data in connection with background checks or other purposes as authorized by State or Federal legislation.

8. Improve online law enforcement access to sex offender registry data. NCHIP funds are available to create a linkage between the State data file and systems accessed by local law enforcement officers. Funds may not be used to purchase equipment for use by individual law enforcement officers.

9. Protection order file. Establishment of a protection order file to enhance the cross-jurisdictional enforcement of protective orders, and to support the FBI's NCIC Protection Order File is an important goal



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of the NCHIP program. Costs (including equipment, software, training and procedural development) associated with development and enhancement of such files and with interface with the FBI's NCIC Protection Order File are covered. Protection order files supported with NCHIP funds must be compatible with the FBI file, and the application must indicate that records are presently being submitted to the FBI or indicate the date upon which that submission will commence. Funds are only allowable to support development of local protection order files where data in such files is or will become directly accessible throughout the State and available to the FBI's national system.

10. Interface between criminal history records, sex offender registry, and civil protection order files. To ensure that, consistent with State law, a complete data review is possible in connection with background checks for child care or other authorized purposes, funds may be used to develop software to establish protocols to permit interface between the criminal history record system, the State sex offender registry, and related protection order files including files of civil protection orders.

11. Uniform RAP sheet format. The FBI has recently endorsed a format and standards for transmission of a uniform RAP sheet (text version of a person's criminal history record) among States. The format reflects efforts initiated under the BJS/SEARCH Task Force on Uniform RAP Sheet Standards. Funds are available to assist States in converting State criminal history records to the FBI standard interstate RAP sheet format or for developing electronic interchange capabilities related thereto.

12. Compatibility with State and Federal systems. Funds may be used to ensure compatibility with Federal record systems, such as III, and to implement statewide integrated system strategies which interface all components of the criminal justice system, including law enforcement, prosecutors, courts, and corrections, to the extent that such expenditures improve the availability of criminal record data including protection orders. Systems funded under NCHIP must be compatible with FBI standards for national data systems, such as NIBRS, NCIC-2000, NICS, IAFIS, the NCIC Protection Order File, and the National Sex Offender Registry. To avoid duplication with other CITA-funded programs, NCHIP funds may not be used to support studies, analysis, design, or development of State integrated systems strategies.

13. Record automation. Allowable costs include conversion of manual or other non-automated records to electronic records if the record has an entry dated within 5 years of the date of automation, or in response to an inquiry against the record, such as a NICS inquiry. Records automated to include court dispositions, using NCHIP funds, must be accessible to State and Federal-level criminal history inquiries.

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14. Privacy. The advance of criminal record technology increases the availability of identifiable records and raises significant issues of privacy. NCHIP funds may be used to cover costs associated with the analysis of privacy issues and the development and implementation of privacy protocols.

15. AFIS/livescan. Funds may be used to purchase equipment, develop procedures, and implement protocols related to activities involving the AFIS, repository, and the operation of the registry. This may include purchase of livescan equipment for local agencies. Where funds are to be used for this purpose, the application should demonstrate that funds can be justified on the basis of geographic, population, traffic, or other related factors. Livescan can only be purchased where the State has established an AFIS and either has implemented or is implementing procedures to ensure that the AFIS is compatible with FBI standards.

16. Establish mugshot identification capability. In support of the Sex Offender Registry operation, funds may be used for the purchase of equipment and development/implementation of procedures to include mugshots of registrants for use either within the State or for transmission to the FBI at such time as that capability becomes available. Mugshots support community notification and law enforcement use of the registry as a tool for identification and apprehension of suspects. States requesting funds for this use must justify the location of the equipment in terms of geography, population, traffic, and demography and ensure that equipment to be used at the local or county level include the capability of transmitting images to the registry for use throughout the State. All equipment and software purchased or developed with funds under the award must be compatible with FBI standards.

17. Interface with NIBRS. Funds may be used to interface with any State data system that is compatible with NIBRS for purposes of identifying persons convicted of crimes against children, the elderly, or the disabled; sex offenses; crimes involving domestic violence and/or stalking; and/or identification of records involving firearm crimes for operational or research purposes. NCHIP funds are not available, however, to develop the NIBRS database. The Federal appropriation under CITA included funds to assist State and local communities in implementing NIBRS-compatible records management systems. NIBRS funds are awarded separately from NCHIP.

18. Coordination of records. Where relevant to terrorism control, funds may be used to coordinate State records with records housed by INS and to develop protocols for record exchange.

19. Research, evaluation, monitoring, and audits. Costs associated with research or evaluation efforts are allowable to the extent that they are directly associated with a project approved in the application. Costs associated with monitoring State compliance with legislative or programmatic goals through ongoing

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or periodic audits or other procedures are allowable and encouraged. The purchase of equipment such as modems and the necessary communications and data software for storing and transmitting evaluative data between States and to BJS or other designated Federal agencies is an allowable expense.

20. Conversion of juvenile records to the adult system. Federal regulations allow the FBI to accept juvenile records if submitted by the State or local arresting agency. Expenditures to interface juvenile and adult records are allowable if consistent with relevant State law and undertaken to further the goals of the NCHIP program.

21. Missing dispositions backlog reduction. These costs are allowable to improve the level of disposition reporting but only where limited to records with activity within the past 5 years. States must also propose a strategy to prevent future backlogs from developing.

22. Equipment upgrades. Upgrade costs are allowable where related to improving availability of data and where appropriate given the level of data completeness, participation in III, etc. Replacement costs will be considered, but States are encouraged to contribute some portion of the total costs.

23. Training, participation in seminars and meetings. Limited funds may be used to cover costs of training and participation in State, regional, or national seminars or conferences (including travel, where necessary).

24. Reducing cost of background checks. States may use funds to develop and implement technologies that lower costs of conducting background checks. These funds may also be used to pay all or part of the State's cost of conducting background checks on persons who are employed by or volunteer with a public, not-for-profit, or other voluntary organization to reduce the amount of fees charged for such background checks, consistent with 41 U.S.C. 5119 (b).

25. Adoption and implementation of the National Crime Prevention and Privacy Compact. The National Crime Prevention and Privacy Compact was enacted as Title II of CITA. Funds may be used to cover costs associated with State review and enactment of the Compact and with development and implementation of procedures (including purchase of equipment and development of software) necessary to facilitate operations pursuant to Compact protocols, including efforts relating to participation in the FBI's National Fingerprint File (NFF).